

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

BOCA CENTER AT MILITARY, LLC, a
foreign limited liability company,
CP OTC, LLC, a foreign limited liability
company, and CP BOCA PLAZA, LLC,
a foreign limited liability Company,

CASE NO.

Plaintiffs,

v.

CITY OF BOCA RATON,

Defendant.

_____ /

COMPLAINT

Plaintiffs, BOCA CENTER AT MILITARY, LLC, CP OTC, LLC and CP BOCA PLAZA, LLC, sue Defendant, CITY OF BOCA RATON ("City"), and allege:

1. This is an action under Chapter 86, Florida Statutes, to invalidate official actions of the City described below made in violation of Article I, section 24, Florida Constitution, and section 286.011, Florida Statutes ("Sunshine Law"), and to enjoin future violations of the Sunshine Law.

2. Plaintiff, BOCA CENTER AT MILITARY, LLC, a foreign limited liability company, is the owner of real property located at 5050, 5100, 5150 and 5200 Town Center Circle, Boca Raton, Palm Beach County, Florida.

3. Plaintiff, CP OTC, LLC, a foreign limited liability company, is the owner of real property located at 1 Town Center Road, Boca Raton, Palm Beach County, Florida.

4. Plaintiff, CP Boca Plaza, LLC, a foreign limited liability company, is the owner of real property located at 5355 Town Center Road, Boca Raton, Palm Beach County, Florida.

5. The above-mentioned properties are collectively referred to as the “Subject Properties.”

6. The Subject Properties are located in a portion of the area commonly known as “Midtown” within the City’s Southwest Planning District 5.

7. The City is the governing body over land use regulations pertaining to Midtown and the Subject Properties.

8. For years, the City has been stonewalling all of Plaintiffs’ efforts to obtain implementing land use regulations to allow residential development on the Subject Properties pursuant to the “Planned Mobility” land use designation contained in a 2010 amendment to the City’s Comprehensive Plan (“2010 Comprehensive Plan Amendment”).

9. Eventually, the Planning and Zoning Board and City’s Staff proposed to the City Council (“Council”) ordinances that would allow residential zoning for Midtown for consideration at the Council meeting on January 23, 2018.

10. On January 23, 2018, instead of adopting these ordinances or any version of them, the Council voted to postpone indefinitely the adoption of applicable land development regulations which would have allowed residential development for Midtown. The Council voted to have a “small area plan” for Midtown to be formulated over the course of a year through City-sponsored “workshops.”

11. As it turned out, as described below, the requirement of a small area plan proved to be another delaying tactic and a sham. What the Council hoped to deceive the public into thinking was a legitimate planning exercise, or “charette,” would prove to be a charade. In so doing, the City violated the Sunshine Law.

12. On April 8, 2018, the City hired James Anaston-Karas and Community Marine and Water Resource Planning (collectively, “Consultant”) to implement a “Public Involvement Plan” as part of the “small area plan” planning exercise. A copy of the Consultant’s contract with the City is attached as **Exhibit A**.

13. The Contract contemplated a “final deliverable” or recommendation from the Consultant in the form of a conceptual small area plan which was to convey the character and feel of Midtown as if it is developed pursuant to the Planned Mobility designation in the 2010 Comprehensive Plan Amendment.

14. According to the Contract, there were to be two public engagement workshops which would present an interpretation of “portions of the proposed land development regulations (January 2018) by showing representation urban form or architectural images which approximate the density and intensity, size and scale, and appropriate design” for Midtown. (Contract at 9.)

15. On May 23, 2018, in accordance with the Contract, the Consultant conducted the first public engagement workshop. Among the persons attending was Deputy City Manager, George Brown.

16. The PowerPoint presentation by the Consultant at the first public engagement (attached as **Exhibit B**) described Planned Mobility as “Multiple use development designed to bring the working population of the City into close proximity to residences, shopping, places of employment and other necessary conveniences in order to reduce reliance on vehicles and to advance alternative modes of transportation,” and included specifications for residential density.

17. On July 9, 2018, and continuing for several days thereafter, in anticipation of presenting the Consultant’s findings from the first public engagement to the Council, the Consultant and Brandon Schaad (the City’s Planning Director) drafted a memorandum to the

Council Members (“Memorandum,” copy attached as **Exhibit C**), intended to describe input from the participants, including members of the public, in the First Public Engagement. As described below, thereafter, the Memorandum was changed substantially in order to sabotage the small area plan exercise to the detriment of Plaintiffs.

18. The original draft of the Memorandum included the following observations about public comments:

- a. “The following themes summarize emerging public consensus for a vision plan:
 - o Redevelopment of Midtown should be mixed use;
 - o If residential development is added, it should not be high density”
- b. “With some dissent over any development, visions generally supported.”
 - o Limited addition of residences with size and scale constraints ranging from low (7 DU) to mid (40 DU).”
- c. “. . . the preponderance of concepts from the public visioning session included residential uses at suitable low to mid density and height. . . .”

19. On July 18, 2018, after having edited the Memorandum numerous times over the course of nearly ten days, the Deputy City Manager, Mr. Brown, informed Mr. Schaad that he was “rewriting” the Memorandum and that he will have to go over it with the Consultant before the Council workshop at which the Consultant was to present his findings. (*See* 07/18/18 Email attached hereto as **Exhibit D**.)

20. In response to Mr. Schaad’s request for a description of the nature of the re-write, Mr. Brown replied, “**I will, once I get my instructions and do it.**” (*See* 07/18/18 Email from G. Brown to B. Schaad attached as **Exhibit E**; emphasis added.) As Deputy City Manager, Mr. Brown could only get “instructions” from the City Manager, his direct supervisor, who, in turn, is answerable only to the Council. The City Manager did not attend the first public engagement. Mr. Schaad, apparently surprised that Mr. Brown would rewrite the Memorandum after having already extensively edited it and unaware of who was giving Mr. Brown “instructions” or why he was

getting them, replied, “As you can imagine, being in the dark, I am pretty concerned right now.”
(See 07/18/18 Email from B. Schaad to G. Brown attached as **Exhibit F**.)

21. Upon receiving his “instructions” from the unidentified City officials, Mr. Brown, without any basis in fact, changed substantive portions of the Memorandum relating to the public’s consensus and views on residential density in Midtown to make it appear that the public was opposed to the inclusion of residential density at any level. (See 07/13/17 Memorandum attached as **Exhibit G**.) Specifically, the language described above was changed as follows:

a. Original: “The following theme summarizes emerging public consensus for a vision plan: Redevelopment of Midtown should be mixed use.”

Revised: “The following theme summarizes emerging public consensus for a plan: Redevelopment of Midtown should be a mix of uses, including commercial, retail, hospitality, and office.”

The effect of this revision is to eliminate the term of art “mixed use” which, as a term of art, includes residential, and instead to limit the description of supported development to a “mix of uses,” not including residential.

b. Original: “. . . the preponderance of concepts from the public visioning session included residential uses at suitable low to mid density and height. . . .”

Revised: “Although the public visioning session included discussion of residential uses at low and height, (sic) there was also opposition to residential development at any density. . . .”

The effect of this revision is to completely mischaracterize the public’s desire to include residential density at low and mid density.

c. Original: “With some dissent over any development, visions, generally supported: Limited addition of residences with size and scale constraints ranging from low (7 DU) to mid (40 DU).”

Revised: “With some dissent over any development, visions, generally supported: Limited amount of residential, with size and scale constraints (low density).”

The effect of this revision is to make it appear as if the public did not support the inclusion of residential density, which it did—at low to mid-levels.

22. Mr. Brown's changes to the Memorandum reflected what the Council wanted recited in the Memorandum, that is, no public support for residential development in Midtown, completely disregarding the findings of the Consultant, the Planning Director, and the views expressed by the public at the first public engagement.

23. On August 20, 2018, at a Council "small area plan" workshop, the Consultant gave a PowerPoint presentation of the results of the first public engagement. The Consultant recommended adding residential density to Midtown as being necessary to implement the Planned Mobility land use designation included in the Comprehensive Plan Amendment. (*See* 08/20/18 CC Regular Workshop Meeting Presentation at 31 attached as **Exhibit H**.) The Consultant also made the point that the addition of residential density to Midtown would greatly reduce traffic in the area. Mr. Schaad agreed with the Consultant's analysis. This triggered the City's next steps to sabotage its own "small area plan" planning exercise, accomplished by violating the Sunshine Law.

24. The following are excerpts from the transcript of the August 20, 2018 meeting where the Consultant discussed the benefits and necessity of the inclusion of residential density in Midtown:

The other issue here, however, is the density and housing mix. You would, by the ones that have worked around the country and in Florida, you need a housing mix of nonresidential 55 percent, residential 45 percent, in about a three-to-one jobs to residences. And for those in the public, you know, we don't have residences here, and that will be part of our conversation in a minute. So, we've organized a useful way to look at our various options, our scenarios.

Now, if we went, took a hypothetical 100 acres and split it 50/50 at about 25 density, just for the sake of discussion in this area, the mixed use residential/commercial comes out to be a little bit less in both parking and substantially less in traffic generation. So, you see what we're doing with the two scenarios? Build out commercial versus build out with some mix of residential for comparison sake. I've studied density for a long time in my career, that's supported by the literature.

So, we'd really appreciate – I don't have a recommendation there, other than if you want to remain what you're land use category is called right now, Planned Mobility, it says that you would offer both alternative means of transportation and housing options for your workforce, essentially, in my words. So, if your land use is to remain in that place, it would be consistent that you put some kind of density of housing there. So, I've give you that guidance. For a transit area to work, the density is even 20 or higher is where transit starts to work, that's where that other chart is offered to you. So, if you were to do lower density, some people were saying don't go more than three or four stories, here are some images that gives you some kind of feel there, the definition of planned mobility.

However, if you are to go higher five to nine, six to twelve stories, the types of mixed-use structures that we're seeing in urban areas that we think are little bit more attractive and integrate parking, integrate mixed use, they might be retail the first year, no strangers to that.

. . . I don't have flat out for you other than if you want to be transit, you need to have density that works, otherwise you're setting up the transit to not work, essentially. (Emphasis added).

25. The record of the August 20, 2018 Workshop meeting is silent about any mention, statement, feedback or direction by members of the Council on the issue of residential density in Midtown. Not having liked what it heard from the Consultant, the Council chose to remain **publicly** silent about the Consultant's recommendation of residential development and his request for direction on the amount of residential density to include in the small area plan. As proven by the turn of events described below, Council members had their own secret agenda, carried out by violating the Sunshine Law.

26. As required by the terms of the Contract, from August 2018 through November 13, 2018, Mr. Schaad and the Consultant continued to prepare for the second public engagement.

27. On or about October 23, 2018, ignoring the positive comments concerning residential development for Midtown, the Council adopted Ordinance Nos. 5461 and 5462, perpetuating non-residential land use regulations for Midtown, thereby missing another opportunity to implement land development regulations allowing residential development mandate in Midtown.

28. On October 9, 2018, the Council held a "small area plan" workshop at which Mr. Schaad recapped where they were in the process of creating the small area plan and sought additional direction from the Council on the next steps in the process.

29. In response to Mr. Schaad's request for further direction, the Council members stated the following:

MR. ROGERS: I think the timeline from here is a public outreach session and then back to workshop or what's -- like, where do we see the steps assuming that you're going to get the thumbs up from us up here, which it looks like more or less? MR. SCHAAD: Well, we have a public workshop and then we will, you know, I think draw up the plan from there and then bring it back through the planning and zoning board and the council for maybe -- maybe in a formal adoption, maybe not a formal adoption. It's really not determined at this point, but I think we'll have clear direction either way.

MR. RODGERS: Okay. The LDRs, the land development regulations, that's certainly the things that the landowners are anxious to get and try to build their plans around. So by giving them this guidance and eventually LDR direction, it allows them to kind of plan their business on their land. Would we expect to do that as part of that workshop, do you think, when it comes back to us? Or I guess until we have the next public workshop, it's a little premature. But is that when we would expect that point? Because that's certainly the -- any lawsuit points, I think, rotate around that. And, Diana, cut me off anytime if you need to. I think that's -- you know, that's really what people are waiting to hear, and I think where we could get to a common ground as soon as we find commonality on it.

MR. ROGERS: Or, again, kinda wait until we get to next workshop?

MR. SINGER: Colleagues, I'll throw out the \$64 question, if I may, because we're going to have to visit it at some point. What, if any, and what scope of guidelines for residential in the area? Because that's part and parcel, I think, of not only the litigation but what some of the property owners, some of whom are outside this immediate small area plan, are looking to get some guidance on. That was, you know, an integral part of what staff was looking for in January. I concur that this is a good first step. This is consistent with what we've all talked about in terms of the vision for the public areas there, but at some point we're going to need to -- and I think at the second outreach session and with hopefully some buy-in from some of the residents of -- or some of the, of course, residents but also some of the interested parties who own property there about the residential components. So if anyone wants to have the discussion today, we can. We can also talk further on. I know we will at the next meeting, and I know we have another big agenda item here, but this is something of major importance to the City, so we'll need to have those conversations. All right. Mr. Ahnell, do you have enough guidance for now so we can

schedule that second public outreach session? MR. AHNELL: Yes. We'll proceed accordingly. MR. SINGER: Thank you, Mr. Schaad. (This concludes the discussion on agenda item 5B.). (Emphasis added.)

30. The future-anticipated second public engagement discussed at the October 9, 2018 meeting was to follow the same format as the first public engagement. This is evidenced by the following documents:

a. November 8, 2018 email from Mr. Schaad to the Consultant: "Jim-I got the thumbs (sic) up on the format for the second public workshop." (See 11/08/18 Email from B. Schaad to J. Karas, attached as **Exhibit I.**)

b. November 8, 2018 email from Mr. Schaad to various members of his staff: "The Midtown consultant will be conducting a second public workshop on the 'Small Area Plan' the evening of December 4. Once again, we will need facilitators." (See 11/08/18 Email from B. Schaad to J. Bell, attached as **Exhibit J.**)

c. November 12, 2018 email from the Consultant to Mr. Schaad: "Similar to last workshop, here are deliverables: preferred room layout, and detailed working agenda. . . . City would please supply 5 facilitators...the plan is 2 facilitators each x 3 groups...." (See 11/12/18 Email from J. Karas to B. Schaad, attached as **Exhibit K.**)

31. As discussed and agreed upon during the October 9, 2018 meeting and subsequent emails from Mr. Schaad, the next step in the process was for the Consultant to hold a second public engagement, similar to the first one. The Council did not say anything publicly to suggest that the small area planning exercise had concluded or that the next steps were merely for staff to outline the results for the public and begin drafting regulations; all comments pointed to more public meetings on the subject.

32. On November 10, 2018, the Consultant asked Mr. Schaad in an email to confirm certain details about the future small area plan presentation. On November 12, 2018, Mr. Schaad responded with an email that stated, “Agreed. We are off for Veteran’s today. Are you available for a call after 9:30 tomorrow? **The landscape continues to change.**” See **Exhibit L** attached (emphasis added). Mr. Schaad’s email clearly proves that secret decisions concerning Midtown were occurring which he did not want to put in writing.

33. On November 14, 2018, in complete disregard of the outcome and discussion at the October 9, 2018 meeting, the City attorney circulated a memorandum falsely claiming that “On October 9, 2018, the City Council reached a consensus that the planning exercise . . . had fulfilled the City Council’s direction.” A copy of this memorandum is attached hereto as **Exhibit M**. Attached to that memorandum was a draft of Resolution 159-2018. Obviously, there were secret, non-public communications among Council Members and others that led to the City Attorney’s memorandum and the draft Resolution.

34. The recitals contained in Resolution 159-2018 are a complete fabrication and misstatement of what actually occurred at the October 9, 2018 City Council Meeting. The Resolution claims that “on October 9, 2018, the City Council reached a consensus that City Staff fulfilled the City Council’s direction (provided on January 23, 2018) to perform a focused small area planning exercise. . . .” As is evident from the transcript of the October 9, 2018 meeting, the directive given by the Council was the complete opposite; the directive was to proceed with the second public engagement, as contemplated by the Contract. The consensus publicly reached was to continue, not end, the small area plan planning exercise.

35. Thereafter, at a Council meeting on November 14, 2018, the Council considered and adopted a resolution which was not even on the agenda, Resolution 159-2018 (attached hereto

as **Exhibit N**). At the November 14, 2018 Council meeting, the City Attorney again blatantly mischaracterized what had actually occurred at the October 9, 2018 City Council meeting, describing the directive of the Council as follows:

The Council's directive was essentially that the information that they received was productive and served the purpose of the small area planning exercise, that it provided additional information and analysis and at that point, the Council directed the staff to, in addition, to make up kind of a wrap-up presentation to the public [emphasis added] in the same way that it made a presentation to the City Council, to then also proceed with drafting certain regulatory ordinances that staff had proposed which would enhance mobility and address additional goals of the area.

36. Resolution 159-2018 was not adopted in good faith. Its purpose was to derail the small area plan planning exercise once it appeared that residential development was being recommended to be included in a small area plan.

37. On November 15, 2018, to perpetuate the sham and put a complete halt to the Consultant's talk about "residential density," Mr. Schaad advised the Consultant that the Contract was terminated and that no further work relating to the "small area plan" exercise or Midtown need be performed. Attached as **Exhibit O** is an email dated November 15, 2018 from Mr. Schaad to the Consultant. Mr. Schaad states:

In follow up to our conversation, last night the City Council adopted the attached resolution affirming that the limited planning exercise for Midtown (referred to as the "small area plan") has concluded, and that the City staff is proceeding with the general planning efforts and follow-up based upon the report made to the City Council on October 9, 2018.

Accordingly, no further work, tasks and/or deliverables relating to Midtown need to be performed by Synaesthesia under the professional services agreement no. 2018-425. **While we initially considered (after October 9, 2018 City Council decision), that additional materials and details relating to the small area plan may be valuable, on further consideration, we've concluded that proceeding with the City staff's suggested regulatory ordinances is the most efficient way to continue to move forward with the City's planning efforts in the Midtown area.** (Emphasis added.)

The foregoing communication unequivocally documents that the Council's decision to end the small area planning exercise occurred after the October 9, 2018 public meeting, proving the lie to the City attorney's statement in her Memorandum, and the Council's recitation in Resolution 159-2018, that the Council's decision occurred at the October 9 meeting.

38. Thus, the City, in complete disregard of its stated objectives, failed to create any form of small area plan and failed to adopt (or even consider) any of the recommendations of the Consultant relating to the inclusion of residential density in Midtown. In fact, the Council refused to address the issue of residential density at any public meeting related to the small area plan, and any "consensus" reached by the Council was reached in secret. The Council did not like what was being proposed by the Consultant. It had no intention of actually engaging in any meaningful planning process. The Council abruptly and without cause terminated the Consultant's Contract and ended the so-called "planning process" by "adoption" of a fictional Resolution which completely misrepresented the events of the October 9, 2018 meeting and was the product of secret, non-public and illegal communications and meetings, directly or indirectly, among Council members.

39. On January 8, 2019, the City adopted Ordinance No. 5476 which was an ordinance amending Chapter 28, "Zoning," Code of Ordinances, authorizing Planned Mobility Development in the City CG Commercial General, City CHO Commercial High Office, R-B-1 Motel-Business and POI Professional, Office and Institutional zoning districts, and which purports to implement land development regulations for Planned Mobility Development pursuant to the Comprehensive Plan Amendment. A copy of Ordinance No. 5476 is attached hereto as **Exhibit P**.

40. Ordinance No. 5476 falsely proclaims at page 1 that:

WHEREAS . . . having received City staff's planning review/analysis of the Midtown area, and the planning concepts and regulatory opportunities presented by

City staff, the City Council adopted Resolution No. 159-2018 affirming the conclusion of the "small area plan," and directed the drafting of these supplemental regulations to the existing land development regulations for Midtown to further the City's mobility policy goals (as reflected in the Comprehensive Plan).

41. Ordinance No. 5476 contains no authorization for residential development in Midtown.

42. The Sunshine Law provides,

All meetings of any board or commission of any state agency or authority ... at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

43. The Sunshine Law prohibits evasive devices such as the use of someone other than a council member, e.g., a city attorney or city manager, as a liaison or intermediary to circumvent the public meeting requirements. *Transparency for Fla. v. City of Port St. Lucie*, 240 So.3d 780 (Fla. 4th DCA 2018).

44. Florida requires governmental entities to conduct their business at open, public meetings. Florida's Sunshine Law requires that all meetings of any council of a municipal corporation are public meetings open to the public at all times, and no action shall be considered binding except as taken or made at such meeting. The Sunshine Law prohibits "de facto" meetings of council members.

45. The Sunshine Law, enacted for the public benefit, is to be liberally construed to give effect to its public purpose while exemptions should be narrowly construed.

46. The City has a mandatory legal duty to comply with the provisions of the Sunshine Law.

47. Plaintiffs have standing for injunctive relief in that a mere showing that the Sunshine Law was violated is *per se* irreparable harm.

48. Sometime after May 2018, two or more members of the Council secretly met with each other and/or communicated with each other through the City Attorney, the City Manager or other person acting as a liaison or intermediary and agreed to instruct the Deputy City Manager as to actions he should take concerning the small area planning exercise. These instructions included, but are not limited to, instructions to Mr. Brown to edit the Memorandum to the Council as described above.

49. Sometime before the commencement of the November 14, 2018 Council meeting, two or more members of the Council secretly met with each other and/or communicated with each other through the City Attorney or other person acting as a liaison or intermediary and agreed to end the small area planning exercise and vote to adopt Resolution No. 159-2018 at the November 14, 2018 City Council Meeting.

50. Sometime before the commencement of the January 8, 2019 City Council meeting, two or more members of the Council secretly met with each other and/or communicated with each other through the City attorney or other person acting as a liaison or intermediary and agreed to vote to adopt Ordinance 5476.

51. The secret meetings referred to in paragraphs 48, 49 and 50 above were meetings of two or more members of the Council, directly or indirectly, at which the Council met and discussed matters on which foreseeable official actions may be taken, and were taken, in clear violation of the purpose, intent, and spirit of the Sunshine Law. The Council was obligated to comply with the Sunshine Law but, instead, circumvented its public meeting requirements. These meetings were not noticed or open to the public. The minutes of said meetings were not recorded, or, if recorded, were not made public. Members of the public were not allowed to attend, speak or express their ideas. Said secret meetings deprived the public of any contemporaneous

knowledge of what was going on and appeared to be designed to prevent discussion of any kind as to the merits of the Council's actions.

52. Under the circumstances, Plaintiffs are entitled to an inference pursuant to *Bland v. Jackson County*, 514 So.2d 1115, 1116 (Fla. 1st DCA 1987), that the Council had no need to discuss the action taken at the November 14, 2018 meeting or the January 8, 2019 meeting because they had already discussed and decided the issues before the public meetings.

53. Plaintiffs and the public were never provided the opportunity under the Sunshine Law to comment on, discuss and/or object to Resolution No. 159-218 as no advance notice of the proposed adoption of the Resolution was provided (the Resolution being first placed on the agenda at the time of the November 14, 2018 meeting) and the City Council had made up their collective minds to adopt the Resolution prior to the November 14, 2018 meeting.

54. The Council's actions prevented Plaintiffs from participating in the official action and public business of the City as it relates to Resolution No. 159-218 in violation of the Sunshine Law.

55. This illegal action resulted directly in the subsequent adoption of Ordinance 5476. That Ordinance is based on the recital therein that the Council adopted Resolution No. 159-2018 "affirming the conclusion of the 'small area plan,' and directed the drafting of these supplemental regulations to the existing land development regulations for Midtown to further the City's mobility policy goals (as reflected in the Comprehensive Plan)." Just as Resolution 159-2018, Ordinance 5476 was the fruit of a Sunshine Law violation.

56. These Sunshine Law violations constitute irreparable public injury, with prejudice presumed.

57. The City should be adjudicated in violation of the Sunshine Law and enjoined from further violations regarding Midtown.

58. As a result, Plaintiffs have been required to retain undersigned counsel to bring this action and are obligated to pay their attorneys a reasonable fee for their services, which is awardable under the Sunshine Law.

WHEREFORE, Plaintiffs demand:

A. a judgment declaring invalid and void *ab initio* Resolution No. 159-2018 and Ordinance No. 5476;

B. an order enjoining the City to make public all notes, minutes, writings or records, if any, of the meetings described in paragraphs 48, 49 and 50, permanently enjoining the City to cure the violations alleged above with properly noticed public meetings concerning Midtown, and permanently enjoining the City from committing further violations of the Sunshine Law with respect to Midtown;

C. an award of attorney's fees and costs under the Sunshine Law; and

D. such other relief as the Court deems just and proper.

WEISS, HANDLER & CORNWELL, P.A.
Attorneys for Plaintiffs
2255 Glades Road, Suite 218-A
Boca Raton, FL 33431
Telephone: (561) 997-9995
Facsimile: (561) 997-5280

By: _____



HENRY B. HANDLER, ESQ.

Florida Bar No. 259284

hbh@whcfla.com

filings@whcfla.com

jn@whcfla.com

WILLIAM J. BERGER, ESQ.

Florida Bar No. 197701

wjb@whcfla.com

tc@whcfla.com

DAVID K. FRIEDMAN, ESQ.

Florida Bar No. 307378

dkf@whcfla.com

gg@whcfla.com